

RELIGION IN PUBLIC EDUCATION IN CYPRUS

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1. General Background

There are four levels of pre-higher education in Cyprus, namely pre-primary, primary, lower secondary and higher secondary schools. Pre-primary schools are usually private and attendance is not compulsory; pupils between 3-5 years of age may attend pre-primary schools. Attendance in primary schools is compulsory for all five-year-olds. Primary education lasts for six years, leading to a Leaving Certificate. Public general secondary education also lasts for six years; it is divided, however, in two three-year cycles. Pupils between 12-15 years of age have to attend Gymnasiums which offer lower secondary education; attendance is compulsory. Pupils over 15 years of age may choose to follow higher secondary education in Lyceums; higher secondary education is not compulsory. In parallel to Lyceums, there is also a vocational and technical stream.

In terms of quality of education, state schools are generally considered as equivalent to (or better than) private sector institutions; thus, state schools are attended by the great majority of pupils. However, there are several private schools which are also attended by students, both for primary and secondary education purposes; the language of instruction in private schools is not Greek but, usually, English. It should be noted that while a high-school leaving certificate is mandatory for admission to the University of Cyprus and Greek universities, high school grades are completely ignored; admission is determined on the basis of scores at centrally-administered university entrance examinations, which largely ignore the high school grades that all university candidates are required to take. Such entrance examinations are largely based upon the curriculum taught in public schools and are conducted in Greek; consequently, it is considered that only graduates of public schools of secondary education may be competitive for entry to the University of Cyprus or Greek Universities. If a student attends a private school, this essentially means that he will have to study at one of the three private Cypriot Universities (University of Nicosia, European University and Frederick University) or universities in England or other countries besides Greece.

Lyceums were restructured following the school year 2000-2001 and now the restructured Eniaio Lykeio offers more variety and flexibility in the choice of studies, whereas previously each student had to choose a selected stream (e.g. emphasis on classical courses, or science courses). The Eniaio Lykeio focuses upon general education in a manner similar to that which occurs in both primary and lower secondary education.

The Orthodox Church of Cyprus showed a considerable interest in education during the Turkish and British rule of Cyprus; the Church considered that education was closely related to religion and the maintenance of the Greek Orthodox character of the island under foreign rule.¹ Education in Cyprus remained closely connected with religion in the early years

¹ See P. Persianis, *Church and State in Cyprus Education* (Nicosia, 1978).

following independence; education was one of the areas within the competences of the Greek and Turkish Communal Chamber respectively and thus, while Turkish education was predominantly associated with the Islamic religion, Greek education was connected to the Orthodox Christian religion. In addition, the three religious groups of the Republic were assisted in maintaining their own religious education.

Consequently, Orthodox religion was an integral part of the curriculum, and no person of another religion could teach at a Greek elementary school. Most schools were established by the Church, which donated great amounts of money in order to support the proper functioning of primary and secondary schools. During the British rule, Archbishop Makarios III established the Educational Council of the Ethnarchy, which coordinated the educational activities of the Greek schools.

Undoubtedly, the influence of the Orthodox Church in the curriculum has lessened since independence; non-Orthodox or atheists may well be appointed as teachers in Cypriot schools, while the Orthodox religion is no longer considered, as it used to be, an integral part of the curriculum. In view of the fact that the Church no longer felt that Cyprus's identity was threatened because of foreign rule, the Republic followed international standards with respect to providing secular education. Consequently, education in state schools has been completely secularised, with the exception of religious education. However, the Church still maintains a limited role with respect to educational activities, since school festivities often relate to Christianity, such as the celebration of Easter, or Christmas. In addition, students collectively go to church with their school three or four times a year, in order to participate in school worship. Furthermore, the first class of the day usually begins with a collective prayer.

2. Religiously Motivated Behaviour in Public Schools

2.1. Education and Religion

Article 20 of the Constitution provides that every person has the right to receive, and every person or institution has the right to give, instruction or education subject to such formalities, conditions or restrictions as are in accordance with the relevant communal law and are necessary only in the interests of the security of the Republic, constitutional order, public safety, public order, public health, public morals, the standard and quality of education or protection of the rights and liberties of others including the right of the parents to secure for their children such education as is in conformity with their religious convictions. Similarly, Article 2 of the First Protocol of the European Convention on Human Rights provides that no person shall be denied the right to education and that in the exercise of any functions which it assumes in relation to education and teaching, the State shall respect the right of parents to ensure such education and teaching as is in conformity with their own religious and philosophical convictions. The stipulation that the parents have the right to secure for their children the education which conforms to their religious convictions aims at safeguarding the possibility of pluralism in education. The State is forbidden to pursue an aim of indoctrination which might be considered as not respecting the parents' religious convictions.²

² *Kjeldsen, Busk Madsen and Pedersen v. Denmark*, Judgment of 7 December 1976; (1979–1980) 1 EHRR

Despite this declared neutrality towards religion, state schools often engage in practices which promote the Orthodox Christian religion. Benedictions of school buildings are considered as a tradition, and the first class of the school day normally begins with a collective prayer. Similarly, collective prayers may be held at major school events. The walls of public schools may well contain religious symbols, such as the crucifix, or icons of Jesus Christ. Furthermore, twice or three times a year all students attend collectively religious services in the nearest Orthodox Church.

2.2. The Doctrinal Character of Religious Education

Religious lessons given in primary and secondary schools follow the doctrine of the Eastern Orthodox Church. In secondary education, the courses are given by graduates of university schools of divinity, while in primary education they are given by the class teacher. Attendance is compulsory for Orthodox pupils; atheists or members of other religions, however, may be excused. In the 1996 Curriculum of the Ministry of Education and Culture, the subject of religious education is under the title 'Christian Orthodox Education' and it is provided that the aim of the lesson is to enable the students to realise that they are members of the Christian Orthodox Church, to learn the fundamental truths of Christianity and to experience a loving relationship with God. According to the Curriculum, pupils should be assisted to understand the presence of God throughout history and the apocalypse of God as an answer to the fundamental questions of human existence; they should experience the figure and teachings of Jesus Christ and experience the Christian way of love towards all people, regardless of colour, religion and race.

It is further provided that pupils ought to be introduced to the basic aspects of other religions and develop a critical attitude towards them, so as to become able to understand and respect the religious beliefs of others. Orthodox education should provide pupils, according to the Curriculum, with the skills to appreciate the meaning of Orthodox ethics, traditions and prayer, and the beneficial influence of the Church on the development and progress of civilisation. In addition, Orthodox education should develop an understanding of the collective worship of the Church, encourage students to participate in such worship, and teach them to respect the value and importance of the various ecclesiastical monuments. It should also promote each individual's responsibilities for the continuation of the Orthodox faith and way of life.³

Some of the textbooks used in Cypriot schools are edited by the Ministry of Education of Cyprus, while some others are edited by the Ministry of Education of Greece. The aims of religious education in the Greek curriculum are nearly identical to the aims of religious education in the Cypriot curriculum, namely to teach the pupils the Christian Orthodox way of life, tradition and values, to develop their religious identity and to enrich their relationship with God. In addition Orthodox education in Greece aims to teach children the meaning, the

711, *Valsamis v. Greece*, Judgment of 18 December 1996; (1997) 24 EHRR 294.

³ Ministry of Education, *The National Curriculum of Cyprus* (Nicosia, 1996, in Greek): 128 (in Greek). See also M. Krasia, 'Religious Education in Cyprus', available in www.mmiweb.org.uk/eftr/reeurope/cyprus_re.doc, November, 2008.

symbols and tradition of the Orthodox faith, the meaning of the Gospels and the moral and spiritual values of Orthodox Christianity.

Religious education textbooks are written by committees appointed by the Government of Cyprus, or Greece respectively. Cypriot textbooks are edited by the Ministry of Education and Culture and distributed to every pupil in public schools free of charge. Teachers of theology in public schools are required to teach the content of such textbooks in order to promote the aims of the Curriculum; certain teachers of theology are even members of the clergy. Textbooks include topics from the Bible, both Old and New Testaments, the history of the Orthodox Church, the lives of the Saints, hymnography and hagiography, as well as moral teachings.⁴

There is no possibility of religious education for members of other religions in public schools, with the exception of Maronites and Turkish Cypriots; the religious instruction of Maronite children who attend public schools is taught by Maronite priests who receive a monthly salary from the state. Similarly, where there is an adequate number, Turkish Cypriot pupils may be religiously educated in their mother language and in their own religion, even in Greek-speaking schools. The fact that the State cannot offer religious education consistent with every single individual religion or creed is not of course surprising; the great majority of pupils in each non-Turkish public school adhere to the Orthodox Christian religion and thus, it would be practically unfeasible for the State to provide religious education which would meet the demands of all parents. This is why the State has opted to assist children belonging to religious groups to attend private schools of their choice, if they so desire, and further why non-Orthodox Christians pupils may request to be exempted from religious education, including collective worship.

2.3. Objections and Considerations on Reform

Objections might be raised with respect to the doctrinal character of religious education in Cyprus; undoubtedly, religious education in Cypriot schools does not provide an objective study of the various religions and creeds, but rather consists of a purely doctrinal presentation from the point of view of the Orthodox Church. This becomes obvious not only from merely reading the purposes of the curriculum of the Ministry of Education and Culture of the Republic of Cyprus, but also from the everyday manner in which religious education is carried out in Greek-speaking primary, or secondary schools. In addition, collective worship only takes place in Orthodox Christian churches and collective prayer is based on the Orthodox tradition, while school religious festivities follow the Orthodox tradition. It could be argued that substituting this doctrinal character of religious education with lessons of neutral religiosity, or neutral religiosity in addition to doctrinal education, could be more education-friendly towards non-Orthodox pupils - and it would promote pluralism.

It could be further argued that religion is a private matter and as such it is not appropriate within a state-funded public school; there is no doubt that such an educational reform would definitely be strictly opposed by the Church. Actual criticism of the content of religious

⁴ See also A. Tapakis, *Religious Education in Primary and Pre-Primary Schools. A Guidebook for Primary and Pre-Primary School Teachers* (Nicosia: Holy Monastery of Kykkos, 2003, in Greek).

education has been rather rare until now, a situation which could be explained by the fact that the State assists pupils belonging to religious groups to attend private schools of their choice, by covering all fees and expenses of such students, and by the fact that non-Orthodox Christian pupils had until recently been few in Greek-speaking primary and secondary schools.

In order to avoid the possibility of discrimination there are two possible ways of reforming the system: either religious education could consist of neutral religiosity instead of doctrinal education, or, if the doctrinal character of religious education is to be retained, students could be asked to opt for religious education as a non-compulsory course; the latter option would have the advantage of allowing parents to ensure that their children receive religious education according to their own religion, while at the same time avoiding, or at least restricting, circumstances of indirect discrimination on grounds of religion. A solution should in principle achieve a balance between the will of the majority to have a religious education of its choice on the one hand, and the right of the minority not to be embarrassed on the other.

2.4. Teachers of Religious Education

At the University of Cyprus, as well as at private Universities in Cyprus, there is no School of Divinity. Those who wish to study theology resort primarily to Greece or to other countries where Orthodox theological academies enjoy the status of a University college. A person may become a teacher of religious education (called a teacher of theology) in secondary education, only so long as s/he has graduated from a theological academy of a Greek University, or from an equivalent Greek Orthodox theological school. In the case of *Stavrou* the applicant was a teacher of religious education in the private school of the American Academy of Larnaca;⁵ the applicant was a Greek Orthodox Christian, holding a Bachelor's degree in religious studies from the University of Lancaster. The Consulting Committee for Education had concluded that the applicant did not possess the necessary legal requirements for being a teacher of theology. While the case of the applicant was pending before the Supreme Court, the Ministry of Education decided that graduates, of non-Orthodox universities, may also teach in private schools, so long as they are Orthodox Christians and the teaching is in Greek.

What counts as service for a teacher of theology was examined in the case of *Ioannou*.⁶ According to Regulation 3 § 1 (f) (i) of the Regulations of 1997 regarding Educational Officers (Determining Recognised Service for the Purpose of Appointment, Promotion and Remuneration), educational service also includes service in the respective Offices of Religious Elucidation of the Archdiocese or the Metropolises, 'so long as it contains the element of guidance and teaching'. The applicant had been a teacher of theology in secondary education since 2002; however, from 1989 until 2000 he had been working in the Office of Religious Elucidation of the Metropolis of Paphos. The applicant requested that the Educational Service Committee recognises his prior service to the aforementioned Office of the Metropolis of Paphos.

⁵ *Stavrou v. The Republic* [1996] 3 CLR 2796 (in Greek).

⁶ *Ioannou v. The Republic*, App. 1131/2002, Decision of the Supreme Court of Cyprus of 12 May 2004 (in Greek).

The Education Service Committee decided that such a service was in general of an administrative character; however, it considered that his service as a teacher at Sunday schools, which had been confirmed by the local ecclesiastical committees, could be recognised as prior educational service. The Supreme Court held that the decision of the Educational Service Committee was flawed; not only teaching at Sunday schools, but also preparing prospective young couples for marriage, delivering religious speeches, providing guidance to the youth in order to join the church's activities and solve their various problems, were all activities containing the necessary element of guidance and teaching provided for in the Regulations of 1997. Therefore, prior service for the purpose of the Regulations of 1997 is not restricted to teaching theology.

2.5. The Debate about Confessionals in Public Schools

In 2003 the Metropolitan of Limassol, Athanasios, proposed to the Ministry of Education and Culture to establish confessionals in public schools situated in the district of Limassol. According to the Metropolitan's proposal, such confessionals would function on a purely optional basis and would only serve the needs of those pupils who wanted to confess to a religious minister of the Orthodox Church. The proposal of the Metropolitan of Limassol enjoyed the support of a unanimous Holy Synod, but was rejected by the Ministry of Education and Culture, which considered that a reform of the current system was not necessary. Currently the decision as to whether there is a need for a confessional in a school is a matter which should be decided by each particular school, following consultation with parents, teachers and governmental authorities.

The proposal of the Metropolitan of Limassol was harshly criticised by certain politicians and educators who argued that it would promote the establishment of the Orthodox Christian religion in public schools and would be contrary to the principle of religious freedom. The Metropolitan of Limassol clarified that he would not insist on the implementation of his proposal, although he considered that the reactions were unjustified, since confessions have always taken place in schools in a non-uniform manner; he further clarified that his proposal only aimed at a uniform approach with respect to confessions, in order to facilitate those students who wanted to confess to a religious minister.

3. Opting Out

Parents (or lawful guardians as the case may be) have the right to request in writing that their children be exempted from religious education if they are not Orthodox Christians. In the case of *Arvanitakis*, the school had refused to exempt from religious education pupils who were Jehovah's Witnesses.⁷ The applicants had stressed that in the textbooks used in the classes, Jehovah's Witnesses are referred to as an anti-Christian and anti-social sect and are generally presented in a negative manner; however, their arguments were rejected by the school, which declared that attendance at all classes is obligatory for all students irrespective of their

⁷ *Arvanitakis v. The Republic* [1994] 3 CLR 859 (in Greek).

religion. The Supreme Court had no difficulty in holding that the school had exercised its competences in an unlawful manner.

However, exempting only pupils who do not belong to the Orthodox Church might present certain problems; parents who belong to the Orthodox Christian religion might not wish for their children to receive doctrinal religious education. Furthermore, atheists, or non-Orthodox, might not wish to declare their religious beliefs to the school authorities in order to be exempted from religious education. Similarly to the principle that religion should not be referred to in public documents, because it might lead to indirect discrimination on grounds of religion, revealing one's religious beliefs for the purpose of exempting one from religious education might, in a predominantly Orthodox society, also lead to discrimination; the exercise of the right to opt out of religious activities might entail significant discomfort or embarrassment for the students, or entrench religious differences at an early stage of the students' lives.

There is no possibility of opting out of biology for believing in Creationism or Intelligent Design. The issue of a potential opting-out of physical education, e.g. for Muslim girls, has never arisen. There is no possibility to take days off for religious holidays.

4. Religious Schools

The right of religious groups to set up and operate their own schools is safeguarded, and such schools are financially assisted by the State.⁸ It could be well argued that there is a continuous effort to maintain the special characteristics of the various religious communities with regard to education.⁹ In principle financial assistance is provided to the three religious groups of the island; religions and creeds, other than the five major religions of the island, may set up and operate their own schools if they so wish, but will not be financially assisted by the State. The Orthodox Church and the other Christian creeds operate Sunday schools, without State intervention; the right to operate Sunday schools, or provide private religious education in houses or other establishments is allowed for all religions and creeds.

The hieratic school '*Apostolos Vanavas*', bearing the name of the founder of the Orthodox Church of Cyprus, operates in Nicosia, under the supervision of the Holy Synod, as a dependence of the Monastery of Kykkos. The school was founded in 1949 and currently offers two distinct levels of courses for persons who seek to become priests. The lower level of courses is designated for graduates of elementary schools, gymnasiums, or technical schools, while the higher level is designated for graduates of lyceums. Graduates of the lower level of courses may, however, proceed to the higher level. Pupils are enabled to become acquainted with the main aspects of the Orthodox Christian teaching and the various ecclesiastical ceremonies, while also acquiring general knowledge which is deemed to be

⁸ See Second Report submitted by Cyprus pursuant to article 25, paragraph 1 of the Framework Convention for the Protection of National Minorities, 27 October 2006, para. 28ff. For the period before 1974 see C. Tornaritis, *Promotion and Protection of Human Rights of National, Ethnic and Other Religious Minorities in the Republic of Cyprus*, (Nicosia, 1974): 7.

⁹ See Haji Roussos, 'Memorandum of the Cyprus Maronite Community to the House of Representatives' (Nicosia, June 1997, S. Beraud, 'The Latins: A Small Community of Cyprus', paper given at the 1st Cultural Meeting of the Maronites, Armenians and Latins (Nicosia, 20 October 2000, in Greek).

necessary for carrying out their duties. The school also functions as a boarding house for those pupils who wish to stay there during their courses. All expenses of the school are covered by the Monastery of Kykkos.¹⁰

¹⁰ See C. Kokkinoftas, 'The Hieratical School of Apostolos Varnavas and the Education of the Cyprus Clergy' (in Greek), available in http://www.churchofcyprus.org.cy/ap_varnavassxoli.shtml, November 2008.